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ABSTRACT

In December 1998, New York State passed charter legislation allowing 100 new charter schools and an unlimited number of public schools to convert to charter status. The charter law has provided "discount funding," prohibited charter schools from using public-sources funds for facility purchase or improvement, and added managerial responsibilities on the principals. Consequently, charter schools in New York City had to seek out sources of support in the form of institutional partners and/or friend organizations. This study was conducted to examine and track such relationships between 14 New York City charter schools having various types of relationships with partnering organizations. Open-ended interviews were conducted with school administrators, teachers, and representatives of participating organizations. Results show that partnering organizations are smaller systems, are more responsive, and provide greater efficiency in a more personal manner compared with support structures for traditional public schools. However, intervention of institutional partners challenged charter schools' administrators' authority and affected school governance. Implications are that if funding for charter schools does not increase, then reliance on partnering organizations will also increase. It would be prudent for educators and policymakers to consider how the implementation of charter law can affect school-level decision-making and charter schools' autonomy. (Contains 14 references.) (RT)

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THE ROLE OF PARTNERING ORGANIZATIONS IN NEW YORK CITY CHARTER SCHOOLS

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Presented at:
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Findings drawn from *Going Charter: New Models of Support, 2001*
Carol Ascher, Project Director
Juan Echazaretta, Robin Jacobowitz, Yolanda McBride, Tammi Troy, and Nathalis Wamba

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INTRODUCTION

In December 1998, New York State passed charter legislation allowing up to one hundred new charter schools and an unlimited number of public schools to convert to charter status. Charter status has promised to foster greater efficiency and higher student achievement, in part because these public schools would operate without district regulations, supervision or supports. Yet, the current reality of financing and managing a school outside of local districts under New York State charter law has compelled school administrators to seek out alternative resources to meet their fiscal, facilities, operational and instructional needs.

First, New York State charter law has provided charter schools with what is generally considered "discounted funding" in comparison to other public schools. In New York City, where per pupil funding was $9,739 in 1999-2000, charter schools received $6,207 in the same period.[1] This differential has forced charter schools to focus energies on public and private fund-raising.

Second, New York's charter law prohibits charter schools from "pledging, assigning or spending" their public per pupil funds for the purchase, construction, or improvement of a school facility.[2] Added to the fact that in New York City real estate is scarce, often in disrepair, and extremely expensive, this prohibition has prompted new charter schools to partner with organizations that have fund development skills or provide capital funding directly.[3]

Third, the deregulated aspect of being a charter school has demanded managerial decision-making and business expertise seldom required from traditional school principals. Administrative supports are needed to complete complex charter applications, apply for federal and state grants, and to maintain fiscal and instructional records for audits and annual reports. Since charter schools are monitored by charter authorizers and state agencies, additional documentation is required. Moreover, charter schools, especially start-up schools, need the instructional guidance formerly provided by local school districts to select and acquire curricula, professional development and special education services.

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[1] Board of Education of the City of New York. (2001, January). *School based expenditure reports: fiscal year 1999-2000*. New York: Author. It should be noted that the Board of Education of the City of New York does provide food and transportation service free of charge to all charter schools in the five boroughs.

[2] State of New York, Article 56, Charter Schools, Section 3853, part 3a & b. <http://www.emsc.nysed.gov/rscs/charter/article56.htm>

[3] Conversion charter schools in New York City pay $1 per year to lease their current school building from the Board of Education. However, these schools are responsible for all maintenance, insurance, and custodial service expenses.

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Given these three critical issues, charter schools in New York City have sought out multiple sources of support. For instance, charter schools have shared resources and information with each other, and utilized existing relationships in community school districts, the Board of Education and the United Federation of Teachers to secure workshops and professional development for their staff, as well as services for special needs students. In addition, new charter school organizations were formed that have provided regulatory and legislative information in addition to referrals for vendor services. Charter school authorizers have also provided legal information and technical assistance on funding streams, accountability procedures and school operations to New York City charter schools. Yet, none of these sources independently provided the supervision, resources, and information of a traditional district. (Ascher et al., 2001)

Between fall 1999 and spring 2001, the period of our study, twelve of the fourteen operating charter schools in New York City formed alliances with what we call institutional partners and/or friend organizations. Friend organizations and institutional partners provided charter schools with private funds, fundraising support, political cover, technical assistance, and professional development for their school staff. However, while institutional partners played important governance roles within the schools as board of trustees members, school founders, and managerial service providers, a critical characteristic of friend organizations was that school administrator's maintained decision-making authority over central school functions.[4]

This paper discusses the services that partnering organizations provide, as well as the implications of their involvement in school level decision making. Our analysis focuses on the ambiguity of authority of charter school administrators created by their relationships with partnering organizations. To clarify the relationship between the partnering organizations and traditional districts, we begin with a review of the literature on the role of the district, and the role that private organizations have played to support public schools.

LITERATURE REVIEW: THE ROLE OF DISTRICTS AND PRIVATE ORGANIZATIONS

In the United States, school districts are the legal and fiscal agents that oversee and guide schools. Composed of a local school board, a superintendent, and central office staff, a district

[4] Friend organizations can be defined as organizations that provide supplemental supports to charter schools without involvement in school decisions, such as colleges, foundations, non-profit organizations, and corporations. Institutional partners can be loosely defined as non-profit organizations, for-profit companies, foundations, or Education Management Organizations (EMO) whom perform central school functions. In this paper we use the term institutional partner to refer to all of these institutions, regardless of their contractual agreement with the school.

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acts as "the gatekeeper for federal and state policy by translating, interpreting, supporting or blocking actions on its schools' behalf" (Massell, 2000, p.6). Districts also hire and fire teachers and principals, build and maintain schools, determine local policies, and, in some states, levy taxes (Howley, 2000, p. 2).

Massell (2000) argue that districts are the major–and sometimes sole–source of capacity building for schools in several key areas. According to Massell, districts help schools use and interpret data to form the basis of school improvement plans, offer professional support that is contracted out or provided themselves, and assist in improving curriculum and instruction through "a patchwork of loose and tight central control."

On the other side of the debate, Chubb and Moe (1990) argue that districts attempt to resolve public conflicts with bureaucratic solutions that are not responsive to community needs. The authors advocate market-driven schools, like charter schools, that are tailored to consumers' choices. Yet, other researchers claim that even in charter schools, the standardized testing programs mandated by districts and states limit innovation (Fusarelli & Crawford, 2001; Izu, 1999). Indeed, a number of policy analysts–not only those in favor of market-driven solutions–argue that teaching and learning practices are more effective when decisions are made at the school level. These analysts have recommended downsized districts, increased school autonomy, and site-based management teams, school councils, and parent advisory boards as ways to shift decision-making processes from centralized administration offices in large urban districts to schools and their communities (Clinchy, 2000; Hallet, 1995).

Because of concerns about districts' capability to initiate and sustain school-level change, intermediary organizations have arisen over the past twenty years that encourage and support systemic reform. These intermediary organizations include national and local education reform organizations, community-based organizations, corporate and family foundations, arts organizations, and contractors that provide assistance with curriculum, teacher development and school restructuring (Kronley, 2001; Tager, 1996).

Since the passage of New York State charter legislation, several intermediary organizations have partnered with charter schools to provide a range of supports. Some of these organizations were new to New York City and the state, while other companies were entirely new enterprises, an outgrowth of an open market for educational goods and services (Moore, 2000).

Wohlstetter and Griffin (1997) have argued that support networks are one of the key conditions enabling charter schools to create and sustain effective learning communities. Based on a three-state study, the authors found that successful charter schools used support from external organizations and networks to supplement their public resources. Similarly, Wells and Scott (2001, p. 241) note that, "Charter school founders heavily relied on private sources for survival." At the same time, charter schools have been called a "natural environment for business support" because of the deregulated setting and their need for efficiency, (National Alliance of Business, 1998).

RESEARCH METHOD

In 2000-2001, the second year of our three-year qualitative study, a total of fourteen charter schools were operating in New York City. Six were conversion charter schools and eight were new start-up charter schools. Our data is drawn from a sample of ten New York City schools. Five schools were allied with friend organizations, four schools had institutional partners, and only one school was self-supporting. Of the ten schools, eight were charter schools, half conversion and half new start-ups; and the remaining two schools were small alternative public schools considering charter status.

During each monthly school visit, open-ended interviews were conducted with school administrators and with a rotating group of generally two teachers per visit. Our research team also attended meetings of planning committees and boards of trustees, as well as school related events. To track changes in the relationships between charter schools and their partnering organizations over time, we conducted spring and fall interviews with representatives of each friend organization and institutional partner, charter authorizers, and a few charter school associations in New York State. In addition, we attended the monthly meetings of the Coalition of Charter Schools, a voluntary group of institutional partners, charter school administrators, authorizers, and others interested in charter school reform.

All of the partnering entities in our study had previous ties with one or more New York City public schools prior to the passage of New York State charter legislation, and were eager to pursue their educational visions in a less regulated environment. Our 2000-2001, sample did not include charter schools linked to for-profit educational management organizations.

SUPPORTS FROM CHARTER SCHOOL PARTNERS

In our sample, one conversion charter school saw itself as primarily self-supporting, despite its reliance on technical assistance from other schools, district alliances and membership associations, because it chose not to partner with a for-profit or non-profit organization. However, the other nine schools depended on the close supports of what we call friend organizations or institutional partners.

Friend Organizations

Five schools in our study created relationships with nonprofit organizations, which we describe as "friend organizations." These organizations included colleges, foundations, non-profit organizations, and corporations that had previous experience in education initiatives. The defining characteristic of this source of support was the school administrator's continued decision-making authority over central school functions, while the school received private funds, fundraising support, political cover and in-kind services.

The friend organization of two conversion charter high schools was the community college that provided physical space for both schools and made college courses available to their students. When the charter schools sought relief from mandatory graduation testing, they collaborated with the community college to develop a hybrid high school-community college program. However, a failed lawsuit to waive New York State Regents standardized tests, and lower state allocations due to per pupil funding compelled the charter schools to revert back to alternative public school status. The reversion process was unprecedented in New York State and politically charged. Nonetheless, the friend organization remained a faithful ally and continued to provide facilities and services to the school.

In another charter school, the founder created a non-profit organization for fiduciary purposes only. This independent friend organization created an advisory group comprised of influential civic leaders who used their personal connections to raise private funds for the school's operating budget and capital planning campaign. The funds were held in a separate bank account to ensure that, whatever happened to the school, the private assets would not be threatened. As part of its fund development activities, the group was active in publicity campaigns. As a result of their efforts, in fall 2001, a leading New York City daily newspaper had a six-part series on charter schools, exclusively featuring this school's instructional programs and daily routines, which, in turn, created a long waiting list of students.

In a few schools, financial assistance from friend institutions alleviated some of the tension between teachers and school administrators over scarce resources. Teachers took class trips and the school purchased musical instruments and art supplies, often thought of as optional activities during budget constraints. In one school, teachers redesigned and furnished their own classrooms with the financial donations from the friend organization. As work conditions improved, teachers' level of enthusiasm increased, they stayed longer hours and developed new learning activities for their students.

In addition to private funds, friend organizations also offered in-kind services, such as technical assistance and use of facilities. One charter school's friend organization provided computer consultation and repair services for office equipment. The friend organization also gifted the school with a playground, and allowed school board meetings and special events to be held in its conference rooms.

Friend organizations did not intrude on the relationships that parents had with the charter school. In fact, friend organizations enabled their allied schools to build welcoming school environments that were safe, had small class sizes and enthusiastic teachers, thus meeting the parents' needs. Since the friend organization's staff was not involved in the school's governing policies, parents directed their concerns about pedagogical or operational practices to the school administrator and teachers, not to an external institution, again reinforcing the home-school bond.

Institutional Partners

Four of the ten schools in our study sample had nonprofit institutional partners in 2000-2001. In two start-up charter schools, the institutional partners were the lead charter applicants; in a third, the institutional partner was brought in by a group of parents and then performed the grueling administrative work of completing the application. In an alternative school converting to charter status, the institutional partner was already allied to the school; it initiated the conversion process and took charge of the application. In all four schools the institutional partner provided money, facilities, and administrative services, involving itself deeply in the daily life of the schools.

Money. Institutional partners made considerable investments to the schools in our study, ranging from hundreds of thousands to millions of dollars. Staff members from institutional partners in our sample reported spending significantly more per pupil than they received from public per pupil funding, approximately $11,000-$12,000 vs. $7,000. In two new charter schools, the institutional

partner stipulated in the charter application and/or agreement that, as the school's founder, their organization would assume a percentage of the school's monetary shortfalls.

In addition to their own fiscal contributions, institutional partners were primarily responsible for private and public fundraising initiatives that included grants, corporate and individual sponsors, and lending institutions. Institutional partners in our four sample schools had a full-time fund development coordinator devoted to these efforts.

The supplemental funding from the institutional partner was readily apparent to school administrators and teachers. One school administrator said,

> "If I were to take only the money from the state I would be in a basement somewhere; there would be no fax, no copier, and no experienced faculty; and fewer kids because of the cost to rent the space for a school. When you think about the operations budget-heat, plumbing, and fire alarm system–where would I get the money for that?"

Institutional partners in our study also managed the schools' private and public monies. Some partners charged the schools for fund development and accounting services, while others provided this back office support in-kind. Institutional partners recognized that school administrators were trained to make staffing, instructional, and operational decisions within the public school system, not within an entrepreneurial context. A staff member from an institutional partner commented,

> "Principals think about hiring a special education teacher in terms of meeting children's needs, coordinating scheduling, and whether full-time or part-time assistance is required. In contrast, the board of trustees and [the institutional partner] are primarily concerned about money. Where the funds will come from to support another salary and benefits?"

Facilities. Facilities were a major obstacle for new start-up charter schools. New York State charter law did not provide capital funds or renovation monies, nor were districts mandated to provide facilities to new charter schools. In New York City, public schools are extremely overcrowded and in disrepair, so new schools have been challenged to locate, finance, and renovate non-school buildings. In our sample, the new charter schools were located in renovated churches, an armory, an office building, and a former corporate headquarters. One charter school lost its lease in 2000-2001, and spent much of the school year in three separate facilities several blocks apart.

Partner organizations used their political influence to secure facilities for charter schools. One institutional partner in our study lobbied the Board of Education on the school's behalf when zoning problems hindered the construction of a new building that it had designed and financed through private funds. As a result, space was allocated and renovated for several grades of the charter school in an unused floor of a nearby public school.

Several institutional partners joined charter school associations in advocacy campaigns for capital funding for all New York State charter schools. After New York City Mayor Guiliani initiated a $10 million Charter School Improvement Fund, institutional partners assisted New York City charter schools in applying for the money. As a result of these efforts, in May 2001, $3.42 million in grants were dispersed to fourteen charter schools.[5] Moreover, since banks viewed New York charter schools with five-year charters as high-risk investments, institutional partners used their connections with corporations and endowments to buttress charter schools' applications for small business loans.

The institutional partners in our sample also managed the financial and administrative aspects of building contracts for their allied charter schools, which included zoning permits, leases and renovation agreements. When one charter school sued its landlord for failure to appropriately renovate the space, the institutional partner took charge of handling the suit.

Services. In consultation with school administrators, institutional partners took on many of the administrative and managerial tasks required of new business enterprises. As a staff member from one institutional partner stated, "New schools have to create policies, procedures, risk management strategies, human resources, payroll, and so forth." These partners administered back office services, such as payroll and vendor agreements, as well as prepared formal documentation for the charter school authorizers' and the State Education Department's monitoring visits, such as annual budgets, records of special education, Title I services, student immunization and attendance.

In June 2001, after significant lobbying by the institutional partners and charter advocates, charter schools in New York State became their own local educational agencies (LEAs), except for special education services.[6] As a result, they can apply for state and federal funding as their

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[5] *New York Post*, May 1, 2001.

[6] The identification and evaluation of students, and provision and monitoring of special education services is still under the jurisdiction of the school district in which the charter school is geographically located.

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own districts, which in some cases increases categorical monies to the school. However as LEAs, charter schools are also required to fulfill statutory, financial, and performance reports typically produced by districts, not individual schools. The institutional partners in our sample participated in technical assistance workshops hosted by charter authorizers and associations in order to perform these duties. Institutional partners also had regular contact with charter authorizers to troubleshoot administrative, legal, and operational issues on behalf of school administrators and their board of trustees.

Similar to a district, institutional partners implemented practices that insured uniformity and efficiency across multiple school sites. Three institutional partners in our sample supported more than one school, and divided the time of their staff to work in two school sites, which included a business manager, curriculum/staff developer, special education specialist and social worker. Typically these services were provided in-kind, however in a few cases schools were charged fees. One institutional partner urged its two sponsored schools to replace their separate math resources and select a common curriculum. The two school administrators and their staffs collaborated in discussing their students' needs, which enhanced their knowledge of each others' schools. For the institutional partner, this decision to have a uniform math curriculum decreased textbook costs, increased the efficiency of personnel working in both schools, and created an opportunity for tightened accountability.

Institutional partners also maintained quality control and accountability by intense involvement in classrooms. In three schools, curricula specialists from the partnering organization regularly observed classes, assisted teachers with their lesson plans and provided professional development to such an extent that teachers looked to them for instructional guidance in place of their school administrator. In the new charter schools, administrators were often overwhelmed with administrative duties and did not regularly visit the classrooms, so they relied on their institutional partner's staff feedback.

Although most teachers were grateful for the technical assistance and support from the institutional partner, others asserted that help did not come without strings attached. The institutional partner's involvement added an extra layer of supervision. Said one teacher, "It is unclear who we work for. Do we work for the school or [the institutional partner]?"

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In 2000-2001, none of the schools in our sample had written agreements stating the provision of services by their institutional partner. However, institutional partners were spending considerable sums through in-kind supports, and in several instances partners made the determination to bill the school for a service or part of a salary for personnel. Without a written agreement, billing for expenses was ambiguous. Moreover, two institutional partners who were interested in assisting other schools on a fee-for-service basis needed to cost out their services. Thus, at the end of the year, two schools in our study itemized their in-kind services and started the process of developing formal memoranda of understanding (MOU) between the school and the institutional partner. The impetus to make MOUs between schools and their institutional partners has been reinforced by charter school authorizers. As part of their accountability role, charter school authorizers have sought to clarify what services institutional partners are providing the schools to assure that the schools can bridge the gap between their per pupil allocations and their operating budget.

IMPLICATIONS OF SUPPORT FROM INSTITUTIONAL PARTNERS

Since charter schools are outside of traditional school districts, their formal governing body is the school's board of trustees. The board is the legal guardian of the charter and responsible for its operational, fiscal and academic health and welfare. As such, boards can contract out the management of school services, or delegate responsibilities to school administrators, school leadership teams or other entities.

In our study, the institutional partners not only provided critical supports to charter schools, but also played strong roles in the schools' governance. In three of these schools the chair or president of the school's board was an executive from the partnering institution; in the fourth school, the institutional partner approved the chair but served as vice chair. In all four schools, institutional partners' staff or appointees compromised at least thirty percent of the boards of trustees. However, institutional partners recommended and approved acquaintances or professional colleagues with compatible interests to serve on the board as community members or in the at-large positions. Hence, the partner organization had significant influence in major school policy decisions.

Of these four schools, the three start-up school administrators were ex-officio members of their school's board of trustees. Principals attended all board meetings and gave a principal's report that updated the board on major school events, staffing and operational issues. Boards met in executive

session in the administrator's absence to discuss "sensitive" topics. In fact, two institutional partners of new schools were adamant that decisions about budgeting, capital funding, and facilities construction were outside the purview of the school administrator. In a conversion charter school, the administrator insisted on being a voting member of the board of trustees over the initial objections of the institutional partner, "I wasn't going to agree to a school structure where I would not have any input." Indeed, another conversion charter school principal claimed that problems arise when a principal is distanced from fiscal decision-making, because budget constraints can drive the instructional programming, instead of the other way around.

Board of trustees hired principals to lead schools, yet institutional partners through the provision of services and their board vote limited the administrator's authority. In one school, a policy statement from the board of trustees noted that "the school administrator will consult with the [institutional partner] with respect to testing, curriculum, professional development, and back office processing. However, the final decision is the school administrator's." Ironically, the school administrator was a non-voting member of the board, and the institutional partner had three votes. Therefore, if the principal's and the institutional partner's recommendations were in conflict, the institutional partner could cast a vote that overrode the principal's decision. In fact, when the principal and teachers devised a plan to reduce class size in order to accommodate their high population of students with special needs, the institutional partner and board of trustees rejected the proposal for fiscal reasons. Clearly, having expended time and money on the schools, the institutional partners wanted to protect their interests. As a staff member from a partnering organization asserted, "If I make an investment, I have a say."

CONCLUSION

Charter schools created different models of support that were viewed as positive alternatives to public school districts in several key areas. Although traditional districts provide back office support, instructional guidance, and information systems most of which is provided by institutional partners, the charter school administrators in our study characterized them as large, impersonal, cumbersome, and slow. By contrast, partnering organizations, even those with a handful of schools, were very small systems in comparison to New York City's community school districts that range from 15-40 schools. Charter school administrators stated that institutional partners were responsive, provided greater efficiency and a more personal manner. Said one school administrator, "You could never talk over your problems with a superintendent like I talk with [the institutional partner]."

The intervention of institutional partners challenged charter school administrators' authority within their schools. In one school where teachers were dissatisfied with their salaries, they sidestepped the principal (a non-voting board member) and sent a grievance letter to the institutional partner and members of the board of trustees who made fiscal decisions. The teachers threatened to unionize, if they were not granted equitable compensation packages and voting representation on the school's board. In response, a formal salary scale was instituted, teachers were awarded two positions on the board (the by-laws were amended), and the faculty did not unionize. This complicated the school governance structure because now teachers could vote on school policies, while their principal–who had the authority to evaluate, award bonuses, and fire them–did not.

Towards the end of 2001, some of the ambiguities in authority between charter school staffs and their institutional partners were being resolved. In one school, after the relationship between an institutional partner and the school staff became tense, the partner worked more collaboratively with staff and paid greater attention to teachers' needs. In another school the partner pulled back from daily supervision and as a result the school administrator and teachers felt more ownership over school decisions. As one teacher said, "It is getting better...we are becoming more of a community rather than us versus them."

Although this paper is based on a sample of ten charter schools in New York City, we believe that the lessons learned may be more widely applicable. The implementation of charter law in New York City has left charter school administrators in need of fiscal, facilities and operational support. Our study demonstrates that charter schools recreate district-like structures through close relationships with friend institutions and institutional partners to meet their needs. These alternative models of support complicate governance in charter schools among school staff, their boards of trustees, and their partners. Insofar as institutional partners increase the number of charter schools they sponsor, their similarities to districts' uniformity, anonymity, and accountability practices will most likely increase. Furthermore, unless funding for charter schools increases significantly, real estate becomes more available and affordable, and the administrative and regulatory management of charter schools lessens in New York City, then the reliance on partnering organizations will also increase. Therefore, it would be prudent for educators and policymakers to consider how the implementation of charter law can affect school level decision-making, and in a broader sense charter schools' autonomy.

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